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Notice of Allowability	Application No.	Applicant(s)	
	09/808,141	IKI ET AL.	
	Examiner	Art Unit	
	Miranda Le	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/15/2005.
2. ☒ The allowed claim(s) is/are 1, 2, 5-8, 11-15, now renumbered as 1-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative, Mr. Christopher Philip Wrist, on September 27, 2005.

The application has been amended as follows:

In the claims:

1. (Currently Amended) A file management apparatus for microscopes comprising:
a memory containing a program with instructions, said instructions comprising:
an image data acquiring section for acquiring microscope image data to be stored
as a file;

a structure information setting section enabling a user to arbitrarily set beforehand
structure information that defines structure of a file name by showing a file name setting screen
on a display, the file name being given to the microscope image data acquired by the image data
acquiring section when the microscope image data is stored in a memory, said structure
information setting section showing the file name setting screen on the display in response to the
user's instruction before shooting, and setting said structure information according to the user's
input;

a name-generating section for acquiring, for each said microscope image data acquired by said image data acquiring section, information relating to said microscope image data, according to the structure information that is set by the structure information setting section, to automatically generate said file name using the acquired information; and

a managing section for storing the microscope image data acquired by the image data acquiring section, and for managing the stored microscope image data using the file names generated by the name-generating section; section;

~~_____ said structure information setting section shows the file name setting screen on the display in response to the user's instruction before shooting, and sets said structure information according to the user's input.~~

~~_____ a classifying condition setting section capable of setting arbitrarily a classifying condition to be used for classifying the microscope image data stored in the managing section into a plurality of groups; and~~

~~_____ a classifying section for acquiring information corresponding to said classifying condition from the file names of the microscope image data stored in said managing section, to classify microscope image data having the same said information acquired corresponding to said classifying condition into a same group.~~

~~_____ wherein said managing section manages microscope image data stored therein in advance, in two ways, which are managing by the file names generated by the name-generating section and managing by a result of classifying by the classifying section.~~

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2. (Previously Presented) The file management apparatus for microscopes according to claim 1, wherein:

the image data acquiring section acquires stored microscope image data to which a file name is given in advance and associated information that is associated with the stored microscope image data; and

the name-generating section acquires, for each said microscope image data acquired by said image data acquiring section, information relating to said microscope image data, from said associated information according to the structure information that is set by the structure information setting section, to generate a new file name using the acquired information.

3. (Canceled)

4. (Canceled)

5. (Previously Presented) The file management apparatus for microscopes according to claim 1, further comprising:

a thumbnail display section for displaying a thumbnail image that is a reduced image of an image corresponding to the microscope image data stored in said managing section; and

a displaying condition setting section for setting, as a displaying condition to be used for selecting the thumbnail image to be displayed by the thumbnail display section, information that is included in the file name corresponding to the thumbnail image to be displayed, wherein

said thumbnail display section selects the file name including the information that is set as the displaying condition by the displaying condition setting section, from file names of the microscope image data stored in said managing section, and displays the thumbnail image corresponding to the selected file name.

6. (Currently Amended) A file management apparatus for microscopes comprising:
a memory containing a program with instructions, said instructions comprising:
an image data acquiring section for acquiring stored microscope image data to which a file name is given in advance;

a structure information setting section enabling a user to arbitrarily set beforehand structure information that defines a structure of a virtual file name by showing a file name setting screen on a display, the virtual file name being given to the microscope image data acquired by the image data acquiring section when the microscope image data is stored in a memory, said structure information setting section showing the file name setting screen on the display in response to the user's instruction before shooting, and setting said structure information according to the user's input;

a name-generating section for acquiring, for each said microscope image data acquired by said image data acquiring section, information relating to said microscope image data, according to the structure information that is set by the structure information setting section, to automatically generate said virtual file name using the acquired information; and

a managing section for storing said microscope image data acquired by said image data acquiring section and for managing the stored microscope image data using the virtual file name generated by the name-generating section;

~~_____ said structure information setting section shows the file name setting screen on the display in response to the user's instruction before shooting, and sets said structure information according to the user's input;~~

~~..... a classifying condition setting section capable of setting arbitrarily a classifying condition to be used for classifying the microscope image data stored in the managing section into a plurality of groups; and~~

~~_____ a classifying section for acquiring information corresponding to said classifying condition from the file names of the microscope image data stored in said managing section, to classify microscope image data having the same said information acquired corresponding to said classifying condition into a same group.~~

~~_____ wherein said managing section manages microscope image data stored therein in advance, in two ways, which are managing by the file names generated by the name-generating section and managing by a result of classifying by the classifying section.~~

7. (Currently Amended) A computer readable medium storing a file management program to control a computer, said program comprising the steps of:

acquiring microscope image data to be stored as a file;

enabling a user to arbitrarily set beforehand structure information that defines structure of a file name by showing a file name setting screen on a display, the file name being

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given to the microscope image data acquired by the image data acquiring step when the microscope image data is stored in a memory, said structure information setting step showing the file name setting screen on the display in response to the user's instruction before shooting, and setting said structure information according to the user's input;

acquiring, for each said microscope image data acquired by said image data acquiring step, information relating to said microscope image data, according to the structure information that is set by the structure information setting step, to automatically generate said file name using the acquired information; and

storing the microscope image data acquired by the image data acquiring step, and managing the stored microscope image data using the file name generated by the name-generating step;step;

~~—————said structure information setting step shows the file name setting screen on the display in response to the user's instruction before shooting, and sets said structure information according to the user's input.~~

~~.....~~ setting arbitrarily a classifying condition to be used for classifying the microscope image data stored in the storing and managing step into a plurality of groups; and

~~.....~~ acquiring information corresponding to said classifying condition from the file names of the microscope image data stored in said storing and managing step, to classify microscope image data having the same said information acquired corresponding to said classifying condition into a same group,

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wherein said storing and managing step manages microscope image data stored therein in advance, in two ways, which are managing by the file names generated by the name-generating section and managing by a result of classifying by the classifying section.

8. (Previously Presented) The computer readable medium according to claim 7, wherein:

said image data acquiring step acquires stored microscope image data to which a file name is given in advance and associated information that is associated with the stored microscope image data; and

said name-generating step acquires, for each said microscope image data acquired by said image data acquiring step, information relating to said microscope image data, from said associated information according to the structure information that is set by the structure information setting step, to generate a new file name using the acquired information.

9. (Canceled)

10. (Canceled)

11. (Previously Presented) The computer readable medium according to claim 7, further comprising:

a thumbnail display step for displaying a thumbnail image that is a reduced image of an image corresponding to the microscope image data stored by said managing step; and

a displaying condition setting step for setting, as a displaying condition to be used for selecting the thumbnail image to be displayed by the thumbnail display step, information that is included in the file name corresponding to the thumbnail image to be displayed, wherein

said thumbnail display step selects the file name including the information that is set as the displaying condition by the displaying condition setting step, from file names of the microscope image data stored by said managing step, and displays the thumbnail image corresponding to the selected file name.

12. (Currently Amended) A computer readable medium storing a file management program to control a computer, said program comprising:

acquiring stored microscope image data to which a file name is given in advance;

enabling a user to arbitrarily set beforehand structure information that defines structure of a virtual file name by showing a file name setting screen on a display, the virtual file name being given to the microscope image data acquired by the image data acquiring step when the microscope image data is stored in a memory, said structure information setting step showing the file name setting screen on the display in response to the user's instruction before shooting, and setting said structure information according to the user's input;

acquiring, for each said microscope image data acquired by said image data acquiring step, information relating to said microscope image data, according to the structure information that is set by the structure information setting step, to automatically generate said virtual file name using the acquired information; and

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storing said microscope image data acquired by said image data acquiring step and managing the stored microscope image data using the virtual file name generated by the name-generating step,

~~_____ said structure information setting step shows the file name setting screen on the display in response to the user's instruction before shooting, and sets said structure information according to the user's input.~~

~~..... setting arbitrarily a classifying condition to be used for classifying the microscope image data stored in the storing and managing step into a plurality of groups; and~~

~~_____ acquiring information corresponding to said classifying condition from the file names of the microscope image data stored in said storing and managing step, to classify microscope image data having the same said information acquired corresponding to said classifying condition into a same group,~~

~~_____ wherein said storing and managing step manages microscope image data stored therein in advance, in two ways, which are managing by the file names generated by the name-generating section and managing by a result of classifying by the classifying section.~~

13. (Previously Presented) The file management apparatus for microscopes according to claim 1, wherein the name-generating section gives, to each said microscope image data acquired, the file name generated according to set structure information, until the structure information is reset by the structure information setting section.

14. (Previously Presented) The file management apparatus for microscopes according to claim 6, wherein the name-generating section gives, to each said microscope image data acquired, the file name generated according to set structure information, until the structure information is reset by the structure information setting section.

15. (Previously Presented) The computer readable medium according to claim 7, wherein the name-generating step gives, to each said microscope image data acquired, the file name generated according to set structure information, until the structure information is reset by the structure information setting step.

Allowable Subject Matter

2. Claims 1-2, 5-8, 11-15 are allowed, now renumbered as 1-11.

3. The following is an examiner's statement of reason for allowance:

Prior art of record do not teach combination of claimed elements including "said structure information setting section shows the file name setting screen on the display in response to the user's instruction before shooting, and sets said structure information according to the user's input"; "a classifying condition setting section capable of setting arbitrarily a classifying condition to be used for classifying the microscope image data stored in the managing section into a plurality of groups"; and "a classifying section for acquiring information corresponding to said classifying condition from the file names of the microscope image data stored in said managing section, to classify microscope image data having the same said information acquired corresponding to said classifying condition into a same group, wherein

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said managing section manages, microscope image data stored therein in advance, in two ways, which are managing by the file names generated by the name-generating section and managing by a result of classifying by the classifying section as claimed in independents 1, 6, 7, 12.

The closest prior art, Atkins et al. (US Patent No. 5,799,319) teaches relates to a method for naming computer files, and includes a method having a computer screen display at a terminal of a computer for a user to input data relating to the image data file, but do not teach a structure information setting section enabling a user to arbitrarily set beforehand structure information that defines structure of a file name by showing a file name setting screen on a display as specifically claimed by the Applicant.

Thus, prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (571) 272-4107. The fax number to this Art Unit is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Miranda Le
September 28, 2005



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